

March 24, 2006

Mary L. Cottrell, Secretary Department of Telecommunications and Energy One South Station, 2nd Floor Boston, MA 02110

Re: Petition of Fitchburg Gas and Electric Light Company for Review and Approval by the Department of Telecommunications and Energy of the Company's Cost of Gas Adjustment Clause

D.T.E 06-GAF-04

Dear Secretary Cottrell:

In D.T.E. 04-1, the Department of Telecommunications and Energy ("Department") directed that each local distribution company ("LDC") provide data on variances in forecast versus billed usage for non-daily metered customers with each Cost of Gas Adjustment filing. (D.T.E. 04-1, *Slip Op.* at 47.) In its March 16, 2006 filing for its CGAC for May 2006 through October 2006, in the above referenced docket, Fitchburg Gas and Electric Light Company d/b/a Unitil ("Unitil") inadvertently omitted this data. Unitil hereby submits this data, the Adjusted Target Volume ("ATV") cash out status for the period May 2005 through October 2005, enclosed as Attachment A.

Also enclosed with this filing is a Motion for Protective Treatment requesting that the names and details of the competitive suppliers' transaction included in this data be protected from public disclosure. Accordingly, Unitil is providing your office with one CONFIDENTIAL copy of the filing along with nine (9) REDACTED versions.

Please do not hesitate to contact me if you have any questions concerning this filing.

Singerely,

Gary Enler

Gary Epler Senior Counsel

6 Liberty Lane West Hampton, NH 03842-1720

Phone: 603-773-6440 Fax: 603-773-6640 Email: epler@unitil.com cc: Carol Pieper, Hearing Officer (1 confidential copy)

Joseph Rogers, Assistant Attorney General (2 confidential copies)

THE COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Petition of Fitchburg Gas and Electric Light Company d/b/a)
Unitil for Review and Approval by the Department of) D.T.E 06-GAF-04
Telecommunications and Energy of it Cost of Gas)
Adjustment Clause)

MOTION OF FITCHBURG GAS AND ELECTRIC LIGHT COMPANY FOR PROTECTIVE TREATMENT

Fitchburg Gas and Electric Light Company d/b/a Unitil ("Unitil") respectfully requests that the Department of Telecommunications and Energy ("Department") grant it protection from public disclosure for certain confidential and competitively sensitive information submitted in compliance with the Department's Order in Docket D.T.E. 04
1. In support of this Motion, Unitil states:

- 1. In D.T.E.04-1, the Department directed that each LDC provide data on variances in forecast versus billed usage for non-daily metered customers with each Cost of Gas Adjustment filing. (D.T.E. 04-1, *Slip Op.* at 47.) Unitil requests protection from public disclosure the following information: the names and details of the supplier transactions including the Adjusted Target Volumes Usage ("ATV"), Actual Usage, the ATV Adjustment, and the Percent Adjustment provided for each marketer in Attachment A.
- 2. G.L. c. 25, § 5D is specifically designed to protect against disclosure of competitively sensitive information. That provision, in part, provides:

[T]he [D]epartment may protect from public disclosure, trade secrets, confidential, competitively sensitive or other proprietary information provided in the course of proceedings conducted pursuant to this chapter.

There shall be a presumption that the information for which protection is sought is public information and the burden shall be upon the proponent of such protection to prove the need for such protection. Where such a need has been found to exist, the [D]epartment shall protect only so much of the information as is necessary to meet such need.

3. Unitil submits that the provisions of this filing described above should be protected from public disclosure because this information is competitively sensitive information concerning the names and details of supplier transactions. This information is normally not disclosed by Unitil, and Unitil takes steps to protect this information from public disclosure. This information reveals data and detail concerning Unitil's and/or Unitil's customers' gas suppliers and marketers and may enable parties to use this normally undisclosed information to Unitil's or its customers' disadvantage. Unitil submits that this information is well within the scope of "confidential, competitively sensitive or other proprietary information" contemplated by G.L. c. 25, § 5D, and accordingly, should be protected from public disclosure.

WHEREFORE, for all the reasons set forth in this Motion, Unitil respectfully requests that the Department issue an Order granting protective treatment to the provisions of the filing described above.

Respectfully submitted,

Gary Epler

Senior Counsel

Unitil Service Corp.

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Certificate

I certify that a copy of this Motion for Protective Treatment has been served this 24th day of March, 2006, via overnight express mail, upon the Massachusetts Office of the Attorney General.

Gary Eple

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